

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

VS.

CAUSE NO. 4:15-CR-73-DMB-JMV

SIDNEY AVANT III

DEFENDANT

DEFENDANT AVANT III'S JOINDER TO DEFENDANTS STEVEN
HAYNES' AND CRAIG HAYNES' MOTIONS [DOC 448, 456] FOR RELIEF
FROM PROTECTIVE ORDER [DOC 105]

COMES NOW the Defendant Sidney Avant III, by and through counsel, and
files this his Joinder to Defendants Steven Haynes' and Craig Haynes' Motions [Doc
448, 456] for Relief from Protective Order [Doc 105] in the above styled and
numbered cause, and in support thereof would show unto the Court the following:

1. On or about December 7, 2015, this Court entered a Protective Order [Doc
105] that provides, as it pertains to this Defendant, as follows:

"(2) that any review of discoverable material shall take place in Defense Counsel's
office or at the detention facility where any defendant is housed; (3) that copies of
discoverable materials shall not leave the custody of defense counsel or be left at any
defendant's detention facility."

2. The discoverable material in this case is so voluminous and burdensome that
the effect of the Protective Order rises to a level that denies Defendant his 6th
Amendment right to effective assistance of counsel and his 5th Amendment right to
be fully informed of the extent and nature of the evidence against him.

3. While Defendant Avant III is not being held in detention, it is nevertheless
virtually impossible to meet with the Defendant as often as would be necessary to

review together all of the discovery in this matter, as the Defendant resides in Clarksdale and the undersigned counsel's office is located in Flowood, hours apart from one another. The Defendant's ability to assist his counsel in providing a defense is therefore significantly diminished due to the restraints of the Protective Order.

4. The prohibition on leaving discovery with the client to review will result in defense counsel being prevented from properly and effectively representing the Defendant as set forth in more detail in the Haynes motions for relief [Doc 448, 456] from the Protective Order in this matter. Steven Haynes' and Craig Haynes' arguments, analyses and applications of the principles of the 5th and 6th Amendment rights also apply to Sidney Avant III, and he joins in their motions.

WHEREFORE, Defendant Sidney Avant III, by and through counsel, joins Steven Haynes' and Craig Haynes' motions for relief [Doc 448, 456] from the Protective Order [Doc 105] in this Cause, and respectfully requests that this Court lift the Protective Order's restriction on discovery as set forth herein.

Respectfully submitted,

Sidney Avant III, Defendant

By: /s/ Wayne Milner
Wayne Milner, his Attorney

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that I, Wayne Milner, counsel for Defendant Sidney Avant III, have this day served a true and correct copy of the above and foregoing document via the ECF filing system to all counsel of record in the above Cause.

SO CERTIFIED this the 14th day of December, 2016

/s/ Wayne Milner
Wayne Milner